

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

DIRECTV, INC., a California corporation,

Plaintiff,

v.

Case No. 03-C-1197

DENNIS WITTHUN,

Defendant.

STIPULATED PERMANENT INJUNCTION

It is hereby stipulated by and among the parties, DIRECTV, Inc. ("DIRECTV"), by its attorneys, and Dennis Witthun, by his attorneys, that the following Permanent Injunction be entered by the Court without further notice or process:

1. Defendant Dennis Witthun (the "Defendant"), and any persons or entities controlled directly or indirectly by him, are hereby permanently enjoined and restrained from:
 - (a) receiving or assisting others in receiving DIRECTV's satellite transmissions of television programming without authorization by and payment to DIRECTV;
 - (b) designing, manufacturing, assembling, modifying, importing, exporting, possessing, offering to the public, trafficking, distributing, selling, or using any devices or equipment (including, by way of example, loaders, bootloaders, unloopers, emulators, programmers, reader/writers, or software or components therefor) designed or intended to facilitate the reception and decryption of DIRECTV's satellite transmissions of television programming by persons not authorized to receive such programming;

(c) advertising the sale of any devices or equipment (including, by way of example, loaders, bootloaders, unloopers, emulators, programmers, reader/writers, or software or components therefor) designed or intended to facilitate the reception and decryption of DIRECTV's satellite transmissions of television programming by persons not authorized to receive such programming, and advertising or providing information or technical services in support thereof; or

(d) reverse engineering or attempting to reverse engineer any of DIRECTV's products, services or technologies, including without limitation the encryption and security controls for the DIRECTV satellite system.

2. This Permanent Injunction shall apply to the Defendant's activities worldwide, and shall apply with the same force and effect to the DIRECTV Latin America satellite system (also known as Galaxy Latin America), and to any other direct broadcast satellite system or related business in which DIRECTV has a financial or other interest, now or in the future.

3. The Defendant, and any persons or entities controlled directly or indirectly by him, are hereby permanently enjoined and restrained from:

(a) investing or holding any financial interest in any enterprise which the Defendant knows is now, or planning in the future, to engage in any of the activities related to unauthorized reception of and decryption of satellite transmissions of television programming prohibited by this Permanent Injunction; or

(b) knowingly allowing any persons or entities which he controls, either directly or indirectly, to engage in any of the activities prohibited by this Permanent Injunction.

4. In the event that the Defendant becomes aware that an enterprise in which he has invested or holds any financial interest is engaged in any of the activities prohibited by this

Permanent Injunction, the Defendant agrees to immediately divest himself of any such investment or financial interest and to promptly notify DIRECTV of the same.

5. The Court shall retain jurisdiction to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and/or enforce the provisions of this Permanent Injunction. The Defendant specifically consents to personal jurisdiction and venue in the United States District Court for the Eastern District of Wisconsin.

6. Upon proof of any violations by the Defendant of the provisions of this Permanent Injunction, the Court shall be authorized to award damages to DIRECTV for losses sustained after the date of this Permanent Injunction, in addition to any other damages or other relief authorized by law.

LA FOLLETTE GODFREY & KAHN

Dated: 10/18/04

By: 

James A. Friedman, State Bar No. 01020756
Steven A. Heinzen, State Bar No. 1032278
Jennifer Cotner, State Bar No. 1043157
Attorneys for Plaintiff DIRECTV, Inc.

CRIVELLO, CARLSON & MENTKOWSKI, S.C.

Dated: 10/15/04

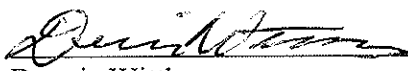
By: 

Remzy D. Bitar
State Bar No. 1038310
Attorneys for Defendant Dennis Witthun

VERIFICATION BY DEFENDANT

STATE OF _____)
) ss:
COUNTY OF _____)

I, **DENNIS WITTHUN**, being first duly sworn, on oath, depose and say that I am the defendant herein, have read the foregoing Stipulated Permanent Injunction, understand the terms thereof and, after the opportunity to consult with legal counsel, do freely consent to the entry of the same by this Court.


Dennis Witthun

SUBSCRIBED AND SWORN TO before me this 8 day of Oct, 2004.


signature of notary

Name: Joel A Brannan
NOTARY PUBLIC in and for the State of
Wisconsin

My Commission Expires: 11-1-04

MN219520_1.DOC